

REMARKS

Claims 1, 3, 5, 7-9, 11 and 13-19 are now present in this application. Claims 1, 5 and 11 are independent.

Claims 2, 4, 6, 10, 12 and 20 are canceled and claims 1, 3, 5, 7-9, 11, 13-17 and 19 are amended. Reconsideration of this application, as amended, is respectfully requested.

Priority Under 35 U.S.C. § 119

Applicants thank the Examiner for acknowledging Applicants' claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority document.

Information Disclosure Citation

Applicants thank the Examiner for considering the references supplied with the Information Disclosure Statement filed March 30, 2007, and for providing Applicants with an initialed copy of the PTO-SB08 form filed therewith.

Objection to the Drawings

The Examiner has objected to the drawings because Figure 1 is not labeled "Prior Art." However, Applicants have labeled Figure 1 as "Conventional Art" to distinguish Applicants' invention from that which is not Applicants' invention. If a drawing figure illustrates only material which is known to be statutory prior art to the invention, then the use of the phrase --Prior Art-- in the drawing figure would be proper. However, if it is not clear whether such material is statutory prior art, then the use of the phrase --Prior Art-- in the drawing figures would not be proper, and a label such as "Conventional Art" would be more appropriate to distinguish Applicants' invention from that which is not Applicants' invention. Accordingly, reconsideration and withdrawal of this objection are respectfully requested.

Rejections under 35 U.S.C. §103

Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants' Admitted Prior Art in view of Zimmerling. This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

While not conceding the appropriateness of the Examiner's rejections, but merely to advance prosecution of the instant application, Applicants respectfully submit that independent claim 1 has been amended to include the subject matter of claim 2 to recite a combination of elements in an apparatus for preventing leakage of a material inside a bulb for a plasma lighting system including a bulb containing an electric discharge material therein for emitting light as the electric discharge material becomes a plasma state by an electric field, and a magnetic field forming portion for preventing the electric discharge material of a plasma state from being leaked by an external electric field of the bulb by forming a magnetic field at a peripheral portion of the bulb. The magnetic field forming portion forms a magnetic field as a wedge shape so that the electric discharge material is positioned at a center of the bulb.

Applicants respectfully submit that this combination of elements as set forth in independent claim 1 is not disclosed or made obvious by the prior art of record, including Zimmerling.

At the outset, no admission has been made by Applicants that Figure 1 qualifies as statutory prior art usable in a rejection of the claims of the present application, as noted above. In the Office Action, the Examiner states that Zimmerling discloses an implantable magnet for applying a magnetic field that can be used to prevent leakage of material into the body of the implant. This characterization of Zimmerling is inaccurate.

Zimmerling discloses an implantable magnet 302 within a housing 303 to be used in a device such as a cochlear implant. The magnet is movable within the housing to prevent the generation of torque if the implant is subjected a magnetic field such as an MRI, as explained in paragraph [0009] of Zimmerling. The magnet is part of a device, such as a cochlear implant, located under the skin. Exposure to a magnetic field, such as an MRI, causes problems such as the generation of torque or partial demagnetization. The magnet serves a function in the implant which is not applying a magnetic field to prevent leakage of material into the body of the implant, as alleged by the Examiner. The teachings of Zimmerling have no application to the device depicted in Figure 1 of the application. In addition, there is no teaching or suggestion in the prior art,

including Zimmerling, of a magnetic field forming portion forming a magnetic field as a wedge shape so that electric discharge material is positioned at a center of a bulb, as is claimed.

Applicants respectfully submit that the combination of elements as set forth in independent claim 1 is not disclosed or made obvious by the prior art of record, including Zimmerling for the reasons explained above. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

With regard to dependent claim 3, Applicants submit that claim 3 depends from independent claim 1 which is allowable for the reasons set forth above, and therefore claim 3 is allowable. In addition, this claim recites further limitations which are not disclosed or made obvious by the applied references. Reconsideration and allowance thereof are respectfully requested.

Claim 5 and claim 11 have been amended in a manner similar to claim 1 by incorporating the subject matter of claims 6 and 12, respectively. These claims are allowable for the same reasons as set forth in relation to claim 1. Applicants respectfully submit that the combinations of elements as set forth in independent claims 5 and 11 are not disclosed or made obvious by the prior art of record, including Zimmerling. Accordingly, reconsideration and withdrawal of these rejections are respectfully requested.

With regard to dependent claims 7-9 and 13-19, Applicants submit that claims 7-9 and 13-19 depend, either directly or indirectly, from independent claim 5 or 11 which are allowable for the reasons set forth above, and therefore claims 7-9 and 13-19 are allowable. In addition, these claims recite further limitations which are not disclosed or made obvious by the applied references. Reconsideration and allowance thereof are respectfully requested.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

Application No.: 10/585,740
Amendment dated December 17, 2009
Response to Office Action of September 17, 2009

Docket No.: 0630-2786PUS1

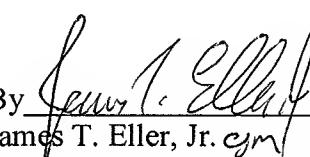
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Chris McDonald, Registration No. 41,533, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: December 17, 2009

Respectfully submitted,

By 
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